

**PATENT APPLICATION
DOCKET NO. 10008204-1**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S): Shell S. Simpson

SERIAL NO.: 09/923,969

GROUP ART UNIT: 2194

FILED: August 8, 2001

EXAMINER: Anya, Charles E

SUBJECT: CLIENT CONFIGURABLE INITIAL WEB-BASED IMAGING SYSTEM

APPELLANTS'/APPLICANTS' OPENING BRIEF ON APPEAL

1. REAL PARTY IN INTEREST.

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holding, LLC.

2. RELATED APPEALS AND INTERFERENCES.

There are no other appeals or interferences known to Appellants, Appellants' legal representative or the Assignee which will affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

3. STATUS OF CLAIMS.

Claims 1 and 4-21 are pending and stand rejected. Claims 2 and 3 have been cancelled. All pending claims are appealed.

4. STATUS OF AMENDMENTS.

No amendments have been filed after the final action was entered. All previous amendments have been entered.

5. SUMMARY OF CLAIMED SUBJECT MATTER.

Claim 1 recites a client configurable web based imaging page redirector system that includes at least one processor at a client programmed with client software for receiving content from an imaging source at an external web site. *See, e.g.*, Specification, paragraph [0085] and Fig. 9, items 902 and 912. The content includes a designator to take a processing action with respect to at least a portion of the content. *See, e.g.*, Specification, paragraph [0180]. The system also includes redirector software loaded in the client that is operable to use a programmatic interface to obtain information. *See, e.g.*,

Specification, paragraph [0180]. The redirector software is operable to access the programmatic interface to obtain the information, to choose at least one destination reference-based on the information, and to automatically redirect the client to the at least one destination reference. *See, e.g.,* Specification, paragraph [0181].

Claim 15 recites a client configurable web based imaging page redirector method that includes a client programmed with a browser obtaining via the browser web content to be processed from an external imaging source. . *See, e.g.,* Specification, paragraph [0085] and Fig. 9, items 902 and 912. That web content includes a designator to take a processing action with respect to at least a portion of the web content obtained from the imaging source. *See, e.g.,* Specification, paragraph [0180]. When the designator is designated, the browser is directed to redirector software that uses a programmatic interface to obtain information. *See, e.g.,* Specification, paragraph [0180]. The redirector software is executed to access the programmatic interface to obtain the information. *See, e.g.,* Specification, paragraph [0180]. The redirector software chooses at least one destination reference-based on the information and automatically redirects the browser to the at least one destination reference. *See, e.g.,* Specification, paragraph [0181].

Claim 21 is directed to a program product for a client configurable web based imaging page redirector method and includes a machine-readable medium that comprises machine readable program code capable of causing, when executed, a machine to implement the method of Claim 15.

6. GROUNDS FOR REJECTION TO BE REVIEWED.

A. Claims 1 and 4-21 were rejected under Section 103 as being unpatentable over USPN 6,623,527 issued to Hamzy in view of USPN 5,941,954 issued to Kalajan.

7. ARGUMENT.

A. Ground For Rejection A – Claims 1 and 4-21 were rejected under Section 103 as being unpatentable over USPN 6,623,527 issued to Hamzy in view of USPN 5,941,954 issued to Kalajan.

Hamzy is directed to a method in which a web page requested by a client is intercepted and modified to include a control button for a network service. The modified web page is passed on to and displayed by the client. A user can then select the added control button to cause a specified action. See Hamzy, Abstract, Fig. 3, Col. 4, lines 33-65.

Kalajan is directed to network message redirection in which a software program running on a client listens to a communications port and redirects messages received on that port to a network resource. See Kalajan, Abstract.

Claim 1 directed to a client configurable web based imaging page redirector system and recites the following elements:

1. at least one processor at a client programmed with client software for receiving content from an imaging source at an external web site, wherein the content includes a designator to take a processing action with respect to at least a portion of the content;
2. redirector software loaded in the client that is operable to use a programmatic interface to obtain information;
3. the redirector software being operable to access the programmatic interface to obtain the information;
4. the redirector software being operable to choose at least one destination reference based on the information; and
5. the redirector software being operable to automatically redirect the client to the at least one destination reference.

The Examiner contends that Hamzy teaches the elements 1-4. The Examiner admits that Hamzy is silent with reference to redirector software being operable to automatically redirect the client to the at least one destination reference. For this deficiency, the Examiner Relies on Kalajan.

With respect to the second, third, and fourth elements listed above, the Examiner asserts that Hamzy, col. 5, lines 40-48 and col. 6, lines 19-26 teaches "redirector software loaded in the client that is operable to use a programmatic interface to obtain information" and "redirector software being executed to access the programmatic interface to obtain the information" and "the redirector software being operable to choose at least one destination reference based on the information." The relevance of the cited passages is suspect as they neither mentions nor suggests redirector software executed to access a programmatic interface to obtain information let alone redirection software that can choose a destination reference based on that obtained information. To illustrate, the cited passages are reproduced as follows:

In addition to the HTML for the print button's appearance, the proxy server also inserts the HTML used when a button is selected by the user. The embedded HTML identifies the requested web page, the requesting client and the path to the print server which controls the requested printer. The print button may actually comprise several individual selections or push buttons, each for one of a plurality of printers which may be controlled by the same printer server or different print servers.

Hamzy, col. 5, lines 40-48.

Assuming that the user has selected the print button, the browser determines that this is so, step 209. Next, the browser refers to the embedded HTML to determine the appropriate action to take, i.e. send a print request including identifying information to the appropriate URL. As mentioned above, the URL will be directed to an appropriate proxy server in the network.

Hamzy, col. 6, lines 19-26.

These passages merely mention that a proxy server can insert HTML for a button's appearance and for use when a button is selected. Upon selection of a button, a print request that includes information is sent to an URL.

Claim 1 recites redirector software operable to use a programmatic interface to obtain information, to access the programmatic interface to obtain the information, and to choose a destination reference based on that information. Hamzy mentions nothing of the use of a programmatic interface to obtain information. To the contrary, Hamzy teaches sending a request to an URL where that requests includes information. Hamzy mentions nothing of a request to obtain information

With respect to the fifth element of Claim 1, the Examiner is correct in stating that Hamzy is silent with reference to redirector software being operable to automatically redirect the client to the destination reference. Hamzy's client is never redirected anywhere upon selection of the print button. Instead, selection of the print button results in a proxy server, retrieving a web page and sending it in to a print server. See Hamzy, col. 6, lines 26-40.

However, the Examiner mistakenly asserts that Hamzy's deficiency is remedied by Kalajan, col. 3, lines 4-8 and col. 5, lines 29-42. The Examiner contends that Kalajan teaches redirector software being operable to automatically redirect the client to the at least one destination reference. Those passages from Kalajan simply refer to software operating on a client that redirects messages addressed to one of the client's ports – redirecting those messages to a network resource. In other words, Kalajan teaches redirecting messages addressed to a given port while Claim 1 recites redirector software that is operable to redirect a client to a destination reference chosen by the redirector software based upon information obtained by the redirector software.

Therefore, the combination of Hamzy and Kalajan fails to teach or suggest redirector software loaded in the client that is operable to (a) use a programmatic interface to obtain information, (b) access the programmatic interface to obtain the information, (c) choose at least one destination reference-based on the information, and (d) automatically redirect the client to the at least one destination reference.

For at least these reasons, Claim 1 is patentable over Hamzy as are Claims 4-14 due at least in part to their dependence from Claim 1.

Claim 15 is directed to method implementation of Claim 1. For at least the same reasons Claim 1 is patentable, so are Claim 15 and Claims 16-20 which depended from Claim 15.

Claim 21 is directed to a program product implementation of Claim 1. For at least the same reasons Claim 1 is patentable, so is Claim 21.

For at least the reasons set forth above, the rejections of Claims 1 and 4-21 are improper as the Examiner has failed to establish a prima facie case of obviousness under 35 USC §103.

Respectfully submitted,
Shell S. Simpson

By /Jack H. McKinney/
Jack H. McKinney
Reg. No. 45,685

September 7, 2006

APPENDIX OF CLAIMS INVOLVED IN THE APPEAL

1. (Previously Presented) A client configurable web based imaging page redirector system, comprising:

at least one processor at a client programmed with client software for receiving content from an imaging source at an external web site, wherein the content includes a designator to take a processing action with respect to at least a portion of the content;

redirector software loaded in the client that is operable to use a programmatic interface to obtain information;

the redirector software being operable to access the programmatic interface to obtain the information;

the redirector software being operable to choose at least one destination reference based on the information; and

the redirector software being operable to automatically redirect the client to the at least one destination reference.

2. (Cancelled).

3. (Cancelled).

4. (Original) The system as defined in claim 1, wherein the client software is a printer driver.

5. (Previously presented) The system as defined in claim 1, wherein the programmatic interface comprises a configuration page, displaying to a user a set of web page or web based imaging service options, the programmatic interface being operable to:

receive a selection of one of the options from the user; and

store a destination reference to the selected option.

6. (Previously presented) The system as defined in claim 1, wherein the programmatic interface includes code which looks for a cookie or other storage on a user's system that identifies the at least one destination reference.

7. (Previously presented) The system as defined in claim 1, wherein the redirector software includes code that calls an API method for obtaining the at least one destination reference.

8. (Previously presented) The system as defined in claim 1, wherein the redirector software includes code to select the at least one destination reference based on a plurality of rules.

9. (Previously presented) The system as defined in claim 8, wherein the plurality of rules include at least a first rule that provides at least one first destination reference if a user's system is inside of a firewall, and a second rule that provides at least one second destination reference if the user's system is outside of the firewall.

10. (Previously presented) The system as defined in claim 5, further comprising a hierarchy of destination references and wherein the redirector software further comprises code for automatically selecting the at least one destination reference according to the hierarchy based on a rule of availability.

11. (Original) The system as defined in claim 1, wherein the redirector software selects a local service to access based on a location of a user's system, and accesses that service to determine the availability of a local image processor service.

12. (Previously presented) The system as defined in claim 11, wherein the redirector software selects the at least one destination reference based on a first rule that if a local printer service is available, then selecting the at least one destination reference for

that local printer service, and a second rule that if no local printer service is available, then selecting a default at least one destination reference.

13. (Previously presented) The system as defined in claim 1, wherein the information obtained by the programmatic interface causes a browser to browse to a web site to obtain the at least one destination reference.

14. (Original) The system as defined in claim 1, wherein the client software uploads the content to a personal imaging repository.

15. (Previously presented) A client configurable web based imaging page redirector method, comprising:

a client programmed with a browser obtaining via the browser web content to be processed from an external imaging source, wherein the web content includes a designator to take a processing action with respect to at least a portion of the web content obtained from the imaging source; and

when the designator is designated, directing the browser to redirector software that uses a programmatic interface to obtain information;

executing the redirector software to access the programmatic interface to obtain the information;

the redirector software choosing at least one destination reference-based on the information; and

automatically redirecting the browser to the at least one destination reference.

16. (Previously presented) The method as defined in claim 15, wherein the programmatic interface:

displaying to the user a set of destination page or web based imaging service options;

receiving a selection of one of the options from the user; and

storing a destination reference to the selected option.

17. (Previously presented) The method as defined in claim 15, further comprising the programmatic interface obtaining information for a cookie or other storage on a user's system that identifies the at least one destination reference.

18. (Previously presented) The method as defined in claim 15, wherein the redirector software calls an API method for identifying the at least one destination reference.

19. (Previously presented) The method as defined in claim 15, wherein the choosing step comprises selecting the at least one designator based on a plurality of rules.

20. (Previously presented) The method as defined in claim 15, wherein the information includes a hierarchy of the destination references and wherein the choosing step includes automatically selecting the at least one destination reference according to the hierarchy based on availability of a destination web site or web based imaging service web site.

21. (Previously presented) A program product for a client configurable web based imaging page redirector method, comprising:

a machine-readable medium that comprises machine readable program code capable of causing, when executed, a machine to perform the following steps

a browser in a client obtaining web content to be processed, the web content including a designator to take a processing action with respect to at least a portion of the web content, the browser accessing a redirector reference and browsing to redirector software; and

executing the redirector software to access a programmatic interface to obtain information; and

the redirector software choosing at least one destination reference based on the information, and automatically redirecting the browser to the at least one destination reference.

Evidence Appendix

There is no extrinsic evidence to be considered in this Appeal. Therefore, no evidence is presented in this Appendix.

Related Proceedings Appendix

There are no related proceedings to be considered in this Appeal. Therefore, no such proceedings are identified in this Appendix.